

## **Probate Notes for May 6, 2015**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

**Please note:** The following probate matters will be heard in **Department Two at 9:00 a.m.**

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**CASE:            Conservatorship of Nakagiri**  
**Case No. CV PB PC 09-138**

The Court notes the following deficiencies:

1. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 1460, subd. (b).)
2. The Court notes the second account and report states that the property on hand as of November 30, 2013, was \$149,039.67. The third account and report, however, states that the property on hand as of December 1, 2013, was \$144,305.56.

**CASE:            Conservatorship of Pflugrath (Fraser)**  
**Case No. CV PB 07-20**

It is recommended to approve the court investigator's report. (Prob. Code, § 1850 et seq.)

**CASE:            Estate of Coleman**  
**Case No. CV P2 15-47**

It is recommended to deny Wayne Oliver's petition to determine succession to decedent Eddie Coleman's real and personal property. Based on the lack of information in the petition, petitioner's right to the property is unclear. Additionally, the Court notes the following deficiencies:

1. The petition is not verified or signed. (Prob. Code, § 1021, subd. (b)(1); Cal. Rules of Court, rule 7.103(b).)
2. An inventory and appraisal has not been filed with the Court as required. (Petition, ¶ 8, Prob. Code, § 13152, subd. (b).)
3. Paragraph 9(b) is blank. (Petition, ¶ 9(b).)
4. Petitioner fails to include a description of decedent's real and personal property passing to the petitioner, and decedent's interest in the property, as required. (Petition, ¶ 11.)
5. Paragraph 13 is blank. (Petition, ¶ 13.)
6. Petitioner fails to include attachment 14 with the petition as required. (Petition, ¶ 14.)
7. Petitioner fails to establish circumstances exist to support the current petition (Prob. Code, § 13150.)<sup>3</sup>
8. Notice of the hearing has not been provided as required. (Prob. Code, §§ 1220, 13153.)

**CASE:           Estate of Lund**  
**Case No. CV PB 15-34**

The Court notes the following deficiency: The original will has not been lodged with the Court. (Prob. Code, § 8000 et seq.)